

FISCAL NOTE

TO: Chief Clerk of the Senate
Chief Clerk of the House

FROM: James A. Davenport, Executive Director

DATE: April 4, 1995

SUBJECT: **SB 792 - HB 1547**

This bill, if enacted, will prohibit the removal or alteration of safety devices or warnings from machinery, and allows employees injured because of removal of these items to sue the owner of the machinery. If the possessor or owner is also the employer, the injured employee must choose between receiving workers' compensation benefits or damages received from a court judgment. If workers' compensation benefits have been received prior to deciding to accept court judgment in this suit, the workers' compensation benefits received will be deducted from the final judgment.

The fiscal impact from enactment of this bill is estimated to be an increase in state expenditures to the Claims Award Fund; however, such increase cannot be determined but is estimated to exceed \$100,000.

Enactment of this bill is also estimated to result in an increase in local government expenditures; however, such increase cannot be determined but is estimated to exceed \$100,000.

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, reading "James A. Davenport". The signature is written in a cursive style with a large, stylized initial "J".

James A. Davenport, Executive Director